

## EXECUTIVE COMMISSION ON ETHICAL STANDARDS

### CODE OF ETHICS

The Executive Commission on Ethical Standards was created pursuant to the New Jersey Conflicts of Interest Law, *N.J.S.A. 52:13D-12 et seq.*, to administer and enforce the Act. In accordance with *N.J.S.A. 52:13D-23*, the Executive Commission adopts this Code of Ethics to govern the conduct of the Commission's members and employees.

#### I. DEFINITIONS

As used in this Code of Ethics, and unless a different meaning clearly appears from the context, the following terms shall have the following meanings:

"Commission" means the Executive Commission on Ethical Standards.

"Employee" means any person holding employment with the Commission, whether in the classified or unclassified service. An employee is a "State officer or employee" as that term is defined in *N.J.S.A. 52:13D-13(b)*.

"Member" means a member of the Commission appointed by the Governor from among State officers and employees serving in the Executive Branch. A member is a "special State officer or employee" as that term is defined in *N.J.S.A. 52:13D-13(c)* by virtue of his/her service on the Commission but is a "State officer or employee," *N.J.S.A. 52:13D-13(b)*, in connection with his/her Executive Branch employment.

"Public member" means a member of the Commission appointed by the Governor who is a special State officer only by virtue of his/her service on the Commission.

#### II. DUTIES RELATED TO PERFORMANCE OF OFFICE AND EMPLOYMENT

- A. No member, public member or employee shall knowingly act in any way that might reasonably be expected to create an impression or suspicion among the public having knowledge of his/her acts that he/she is engaged in conduct violative of his/her trust as a State officer or employee or special State officer or employee.
- B. No member, public member or employee shall use or attempt to use his/her official position to secure unwarranted privileges, benefits, or advantages for himself/herself or others.
- C. No member, public member or employee shall act in an official capacity in any matter wherein he/she has a direct or indirect interest, financial or otherwise, which might reasonably be expected to impair his/her objectivity and independence of judgment.

- D. No member, public member or employee shall disclose to an unauthorized person for any purpose confidential information acquired in the course of employment, or acquired through unauthorized disclosure by another. Confidential information includes, but is not limited to, information on pending matters that is not already a matter of public record and information concerning the work product of any employee, including, but not limited to, notes, papers, discussions, and memoranda.
- E. No member, public member or employee should accept any gift, favor, service or other thing of value under circumstances from which it might reasonably be inferred that such gift, favor, service or other thing of value was given or offered for the purpose of influencing him/her in the discharge of his/her official duties.

### III. OUTSIDE INTERESTS/EMPLOYMENT ACTIVITIES

- A. No member, public member or employee shall have any direct or indirect interest, financial or otherwise, or engage in any business or transaction or professional activity, which is in substantial conflict with the proper discharge of his/her duties or interferes with the operation of the Commission.
- B. No member, public member or employee shall engage in any business, profession, trade or occupation which is subject to licensing or regulation by a State agency without first filing a notice of such activity with the Commission.
- C. No member, public member or employee shall undertake any employment or service, whether compensated or not, which might reasonably be expected to impair the objectivity and independence of judgment required in public employment or to interfere with the operation of the Commission.
- D. No member, public member or employee shall make use of his/her office or employment for the purpose of promoting or advertising any off-duty activity.
- E. No employee shall engage in any outside employment or service or maintain any outside business interest, whether or not for compensation, without first submitting a written request for approval to the Director of the Commission. The approval of such outside activity shall not be unreasonably withheld. Members and public members shall provide notice of any outside employment or service or outside business interest to the Director.

- F. Employees are free to engage in volunteer activities on behalf of nonprofit charitable, religious, sports, and professional organizations unless such activities could reasonably be expected to impair or appear to impair their independence and objectivity of judgment in the discharge of duties or interfere with the operation of the Commission.

#### IV. REPRESENTATION BEFORE STATE AGENCIES

No employee, nor any partnership, firm or corporation in which he/she has an interest, nor any partner, officer or employee of any such partnership, firm or corporation, shall represent, appear for, or negotiate on behalf of, or agree to represent, appear for, or negotiate on behalf of, any person or party other than the State in connection with any cause, proceeding, application or other matter pending before any State agency. Nothing contained herein shall be deemed to prohibit any such partnership, firm or corporation from appearing on its own behalf.

No member or public member, nor any partnership, firm or corporation in which he/she has an interest, nor any partner, officer or employee of any such partnership, firm or corporation, shall represent, appear for, or negotiate on behalf of, or agree to represent, appear for or negotiate on behalf of, any person or party other than the State in connection with any cause, proceeding, application or other matter pending before the Commission.

#### V. POLITICAL ACTIVITIES

No employee shall engage in the following activities:

1. be a candidate for or hold any elected or appointed partisan public or political party office at the municipal, county or State level or actively participate or assist in any campaign for these offices. This provision is not intended to apply to appointed positions such as member of a planning board or zoning board.
2. directly or indirectly contribute, solicit, receive, collect, handle, disburse or account for assessments or other funds for a partisan political purpose in connection with a candidate for a municipal, county or State office.
3. organize or reorganize a political party organization or political club or be a candidate for or serve as an officer or member of any partisan political committee.

#### VI. CASINO PROHIBITION

No employee, nor any person, nor any member of the immediate family of any employee, or person, nor any partnership, firm or corporation with which any such

employee or person is associated or in which he/she has an interest, nor any partner, officer, director or employee while he/she is associated with such partnership, firm, or corporation, shall hold, directly or indirectly, an interest in, or hold employment with, or represent, appear for, or negotiate on behalf of, any holder of, or applicant for, a casino license, or any holding or intermediary company with respect thereto, in connection with any cause, application, or matter, except that (1) an employee other than a State officer or employee included in the definition of "person" in section 17.2(a) of the Conflicts Law, and (2) a member of the immediate family of an employee, or of a person, may hold employment with the holder of, or applicant for, a casino license if, in the judgment of the Commission, on such employment will not interfere with the responsibilities of the employee, or person, and will not create a conflict of interest, or reasonable risk of the public perception of a conflict of interest, on the part of the employee, or person.

No member or public member shall hold, directly or indirectly, an interest in, or represent, appear for, or negotiate on behalf of, any holder of, or applicant for, a casino license, or any holding or intermediary company with respect thereto, in connection with any cause, application, or matter. However, a member or public member may hold employment directly with any holder of or applicant for a casino license or any holding or intermediary company thereof and if so employed may hold, directly or indirectly, an interest in, or represent, appear for, or negotiate on behalf of, his/her employer, except as otherwise prohibited by law.

## **VII. POST EMPLOYMENT**

No member, public member or employee, subsequent to the termination of his/her office or employment at the Commission, shall represent, appear for, negotiate on behalf of, or provide information not generally available to members of the public or services to, or agree to represent, appear for, negotiate on behalf of, or provide information not generally available to members of the public or services to, whether by himself or through any partnership, firm or corporation in which he has an interest or through any partner, officer or employee thereof, any person or party other than the State in connection with any cause, proceeding, application or other matter with respect to which such member, public member or employee shall have made any investigation, rendered any ruling, given any opinion, or been otherwise substantially and directly involved at any time during the course of his/her office or employment. Any person who willfully violates the provisions of this section is a disorderly person, and shall be subject to a fine not to exceed \$500.00 or imprisonment not to exceed six months, or both.